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Date: October 22, 2025

**Att: Mr. Michel Bellemare**  
Committee of Adjustment, Secretary-Treasurer

**Re: Application for Consent & Minor Variance at 88-90 Hamilton Avenue North** to sever the existing long semi-detached dwelling into two parcels to be individually conveyed, with a reduced pole width for the flag lot configuration, and consent for new easements for access and parking.

Arcadis Professional Services (Canada) Inc. has been retained by Citymaker Homes (the 'Owner') to submit an application for Consent and Minor Variance for the property municipally known as 88-90 Hamilton Avenue North (the 'site'). The site is an interior lot with frontage on the west side of Hamilton Avenue North and presently contains a recently constructed three-storey long semi-detached dwelling with rear yard parking. The proposal is to sever the existing dwelling into two separate parcels so each half of the front-back dwelling can be individually conveyed.

There is an existing easement for access and parking shared with the neighbouring property to the north (86 Hamilton Avenue North) resulting from a former severance application. A new access and parking

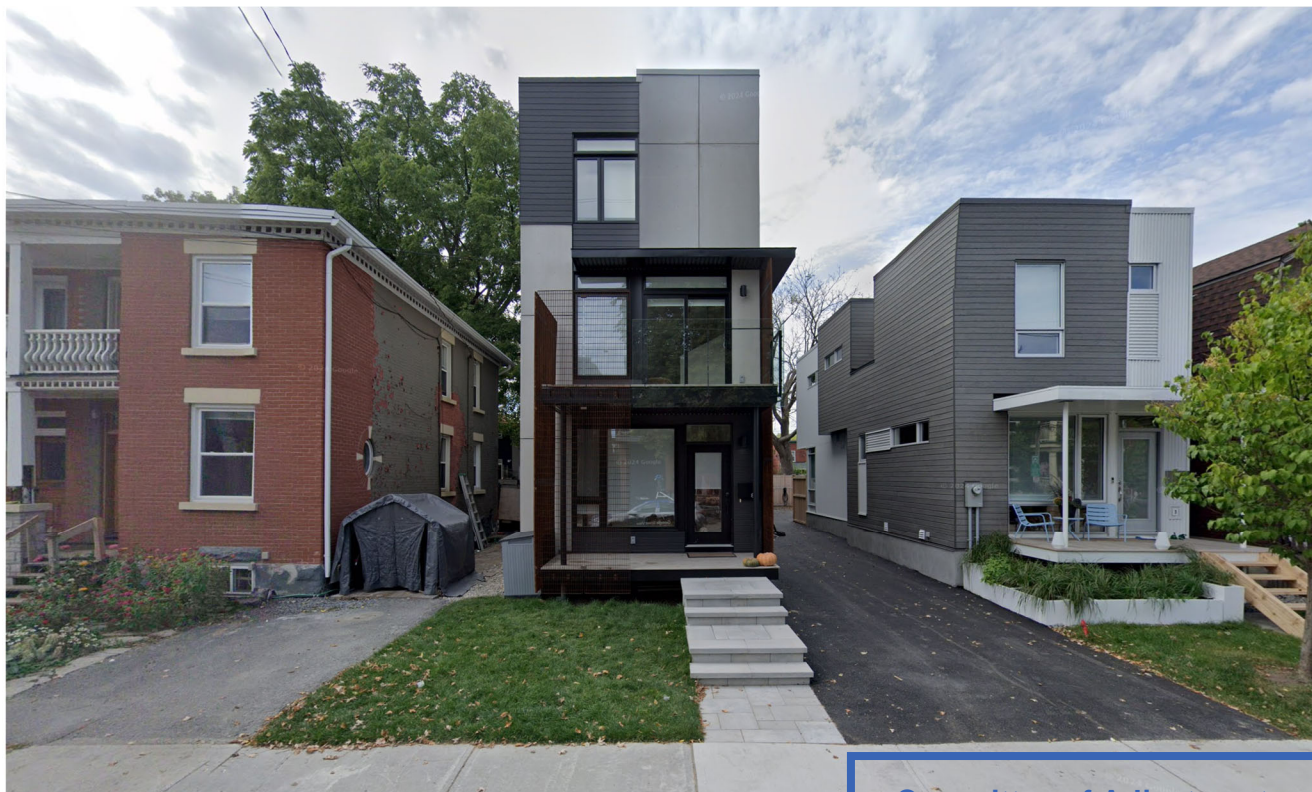


Figure 1. Existing site conditions, front elevation (Google Streetview, 2024)

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easement is proposed on the adjacent property at 86 Hamilton Avenue North to assign dedicated parking spaces to 88 and 90 Hamilton Avenue North. This new easement will provide access across the flag lot / rear unit (90 Hamilton Avenue North) being Part 3 on 4R34748 for the benefit of the front unit (88 Hamilton Avenue North). The parking space over Part 6 on 4R34748 will be in favour of the front unit (88 Hamilton Avenue North), while the parking space over Part 7 on 4R34748 will be in favour of the rear unit (90 Hamilton Avenue North). A demonstration of the extents and rights of the new proposed easement is shown in Figure 8.

To facilitate the severance, authority of the Committee of Adjustment is required for consent with granting of easements, and one minor variance to the zoning by-law, as discussed in the Application Summary section below.

## **APPLICATION SUMMARY**

The existing long semi-detached dwelling was constructed in June 2024 and has been occupied since its completion. Prior to construction, the original lot contained a residential dwelling municipally known as 86 Hamilton Avenue North. This lot was severed roughly in half, with the existing dwelling retained on the north lot (86 Hamilton Avenue North) and a new long semi-detached dwelling constructed on the south lot (88-90 Hamilton Avenue North). Easements for access across Part 5 of the 86 Hamilton Avenue North parcel were established in favour of the 88-90 Hamilton Avenue North long semi-detached parcel, and an easement over Part 3 for the benefit of the 86 Hamilton Avenue North for access was also granted.

The Consent applications (D08-01-21/B-00100 & B00101) were accompanied by combined Minor Variance applications (D08-02-21/A-00105 & A-00106) for the existing dwelling and proposed new long semi-detached dwelling. The approved variances specific to both units of the long semi-detached at 88-90 Hamilton Avenue North included a reduced lot width, and reduced lot area. One variance applicable to 88-90 Hamilton Avenue North was granted to permit a non-accessory use for the proposed parking space to be located on Part 6 (86 Hamilton Avenue North) for the benefit of Parts 1,2, and 3 (88-90 Hamilton Avenue North) whereas the by-law requires that an accessory use can only be permitted on the same lot as the principal use.

These applications were granted by a decision (OLT-21-001229) of the Ontario Land Tribunal on June 3, 2022. A building permit was issued (No. 2207719) and construction was completed in June 2024.

The current application is to sever the front and back units of the constructed long semi-detached dwelling to permit individual conveyance of the lots. A new access and parking easement is proposed to align with the proposed retained and severed parcels, which will designate individual parking spaces for each parcel's use located on the neighbouring property (86 Hamilton Avenue North). This new easement will allow access across the flag lot / rear unit (90 Hamilton Avenue North), being Part 3 on 4R34748 for the benefit of the front unit (88 Hamilton Avenue North). The parking space over Part 6 on 4R34748 will be in favour of the front unit (88 Hamilton Avenue North), while the parking space over Part 7 on 4R34748 will be in favour of the rear unit (90 Hamilton Avenue North). A demonstration of the extents and rights of the new proposed easement is shown in Figure 8. One minor variance is required for a reduced flagpole width.

The required variance is as follows:

**VARIANCE A:** To permit a reduced width of 1.50 m for the pole portion of a flag lot when a long semi-detached dwelling is severed in a flag lot configuration, whereas the by-law requires 2.2 metres.

**COMMENT:** The pole portion of the flag lot is measured based on the definition of lot width in the Zoning By-law, and therefore is measured for the width at the required front yard setback. The sought relief is to permit a width of 1.50 m. Despite the reduced flag lot width, the pole portion provides sufficient width for access, maintenance, and servicing to the rear unit, as exemplified by this being a built condition that has functioned successfully since its construction in 2024. In total, the minimum width of the combined access easement between 86-90 Hamilton Avenue North is 3.04 m.

## **SITE & SURROUNDING CONTEXT**

The site, known municipally as 88 and 90 Hamilton Avenue North, is an interior lot situated on the west side of Hamilton Avenue North in the block bounded by Tyndall Street to the south, Wellington Street to the north, and Hinton Avenue North to the west. The site is located in the Hintonburg-Mechanicsville neighborhood in Ward 15 – Kitchissippi.

Hintonburg-Mechanicsville is characterized by tight urban lot fabrics with a mix of older low-rise residential and newer infill development, as well as pockets of mid-rise apartment dwellings. The site and general neighbourhood are well served by transit, and the site is located within a 700 metre buffer of the Tunney's Pasture LRT station to the north. The site is situated south of the Ottawa River and the Kichi Zibi Mikan, which features an extensive network of greenspace and multi-use pathways. The site is in close proximity of Wellington Street West to the north which contains a mix of commercial and retail uses including restaurants, shops, and other amenities.

The following building types and land uses about the site, with the property parcels and configurations shown in Figure 2 below.

- **North (side yard)** Two-storey single-detached dwelling
- **West (rear yard)** Two-storey semi-detached dwelling
- **South (side yard)** Two-storey semi-detached dwelling
- **East (front yard)** Three-storey semi-detached dwelling

The site is comprised of the following specifications and legal description:

<b>Area</b>	257.70 m <sup>2</sup>
<b>Frontage</b>	8.12 m
<b>Depth</b>	31.73 m
<b>PIN</b>	04035-0243

**Legal Description**

PART LOT 1348, PLAN 157, PARTS 1, 2 & 3 PLAN 4R34748; TOGETHER WITH AN EASEMENT OVER PART LOT 1348, PLAN 157, PART 5 PLAN 4R34748 AS IN OC2538833;  
SUBJECT TO AN EASEMENT OVER PART 3 PLAN 4R34748 IN FAVOUR OF PART LOT 1348, PLAN 157, PARTS 4, 5, 6 & 7 PLAN 4R34748 AS IN OC2538833; CITY OF OTTAWA



Figure 2. Property boundaries showing subject site and abutting lots (Source: GeoOttawa)

The images below show the existing site conditions on Hamilton Avenue North, captured from Google Street View dated October 2024.



Figure 3. View facing the subject site and abutting properties (Source: Google Maps).



Figure 4. View looking south down Hamilton Avenue North (Source: Google Maps).



*Figure 5. View looking north down Hamilton Avenue North (Source: Google Maps).*

Several flag lot configurations exist in the surrounding southwest quadrant of Hintonburg-Mechanicsville neighbourhood as shown in **Error! Reference source not found.** below. The pole portion of these existing flag lots range in width from 1.49 m at 246 Carruthers Avenue to 3.48 m at 44 Sherbrooke Avenue. Whereas the pole portion of flag lots in a flag-to-flag configuration range in width from 1.50 m at 267-271 Carruthers Avenue to 1.60 m at 41A-41B-41C-41D Sterling Avenue.

Of these eight (8) surrounding cases highlighted below, seven (7) lots have a reduced pole portion width, while only one (1) lot has a sufficient pole portion width that meets the minimum requirements of the By-law (2020-289, 2021-111).



Figure 6 Existing flag lots located in the vicinity of the subject site (Source: GeoOttawa)

## PROPOSED SEVERANCE

The proposal is to sever the existing long semi-detached dwelling in a front-back, flag lot configuration. To facilitate the consents, two applications to the Committee are required:

- 1) Primary Combined Consent & Minor Variance
- 2) Secondary Consent

The entire site consists of three parts on the enclosed reference plan. Part 1 comprises the front unit (88 Hamilton Avenue North), while Parts 2 and 3 comprise the rear unit (90 Hamilton Avenue North).

Part 3 represents the pole portion of the flag lot which provides street frontage and access for the rear unit, which is Part 2 (90 Hamilton Avenue North). Part 3 will have an easement for access and maintenance for the benefit of Part 1 (88 Hamilton Avenue North).

Part 6 located in the rear yard of the adjacent parcel (86 Hamilton Avenue North) consists of a parking space for the sole use of the front unit, (88 Hamilton Avenue North). Part 7 located in the rear yard of the adjacent parcel (86 Hamilton Avenue North) consists of a parking space for the sole use of the rear unit, (90 Hamilton Avenue North). A minor variance was granted on June 3, 2022 to permit parking on Parts 6, and 7 for the benefit of Parts 1, 2, and 3 (File No. D08-02-21/A-00105 & A-00106).

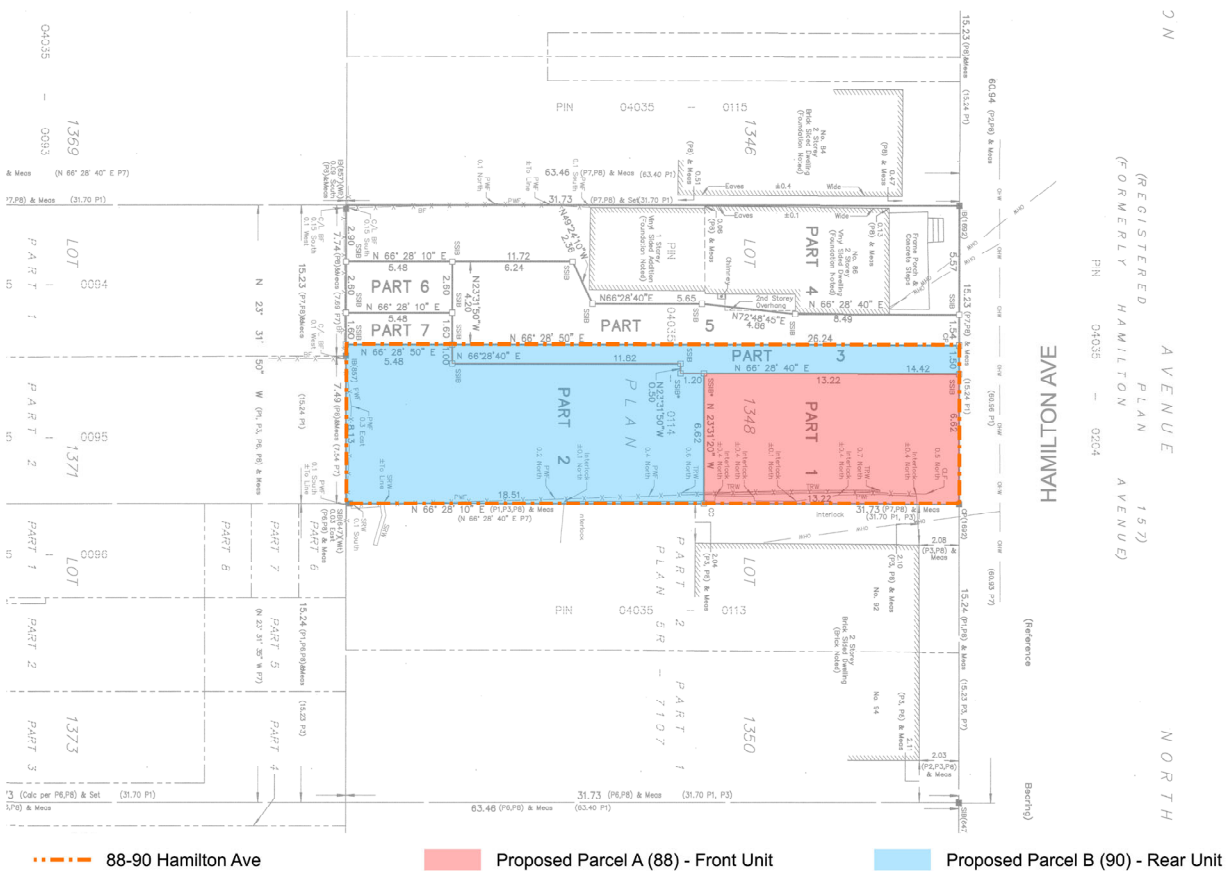


Figure 7 Reference plan 4R-34748-1 (Farley, Smith & Denis Surveying Ltd)

Table 1. Proposed lot fabric for severed lots

	PROPOSED PARCEL A Front Unit – 88 Hamilton Avenue North	PROPOSED PARCEL B Rear Unit – 90 Hamilton Avenue North
Parts	1	2 & 3
Easement	N/A	Easement over Part 3 for access in favour of Part 1
Description	PART LOT 1348, PLAN 157, PARTS 1, 2 & 3 PLAN 4R34748; TOGETHER WITH AN EASEMENT OVER PART LOT 1348, PLAN 157, PART 5 PLAN 4R34748 AS IN OC2538833; SUBJECT TO AN EASEMENT OVER PART 3 PLAN 4R34748 IN FAVOUR OF PART LOT 1348, PLAN 157, PARTS 4, 5, 6 & 7 PLAN 4R34748 AS IN OC2538833; CITY OF OTTAWA	
PIN	04035-0243	
Parcel Lot Area (m <sup>2</sup> )	87.5 m <sup>2</sup>	170.2 m <sup>2</sup>
Total Lot Area (m <sup>2</sup> )	257.7 m <sup>2</sup> (one lot for zoning purposes)	
Lot Frontage (m)	6.62 m	1.50 m (flagpole)
Lot Depth (m)	13.22 m	31.72 m
Lot Width (m)	8.12 m (one lot for zoning purposes)	

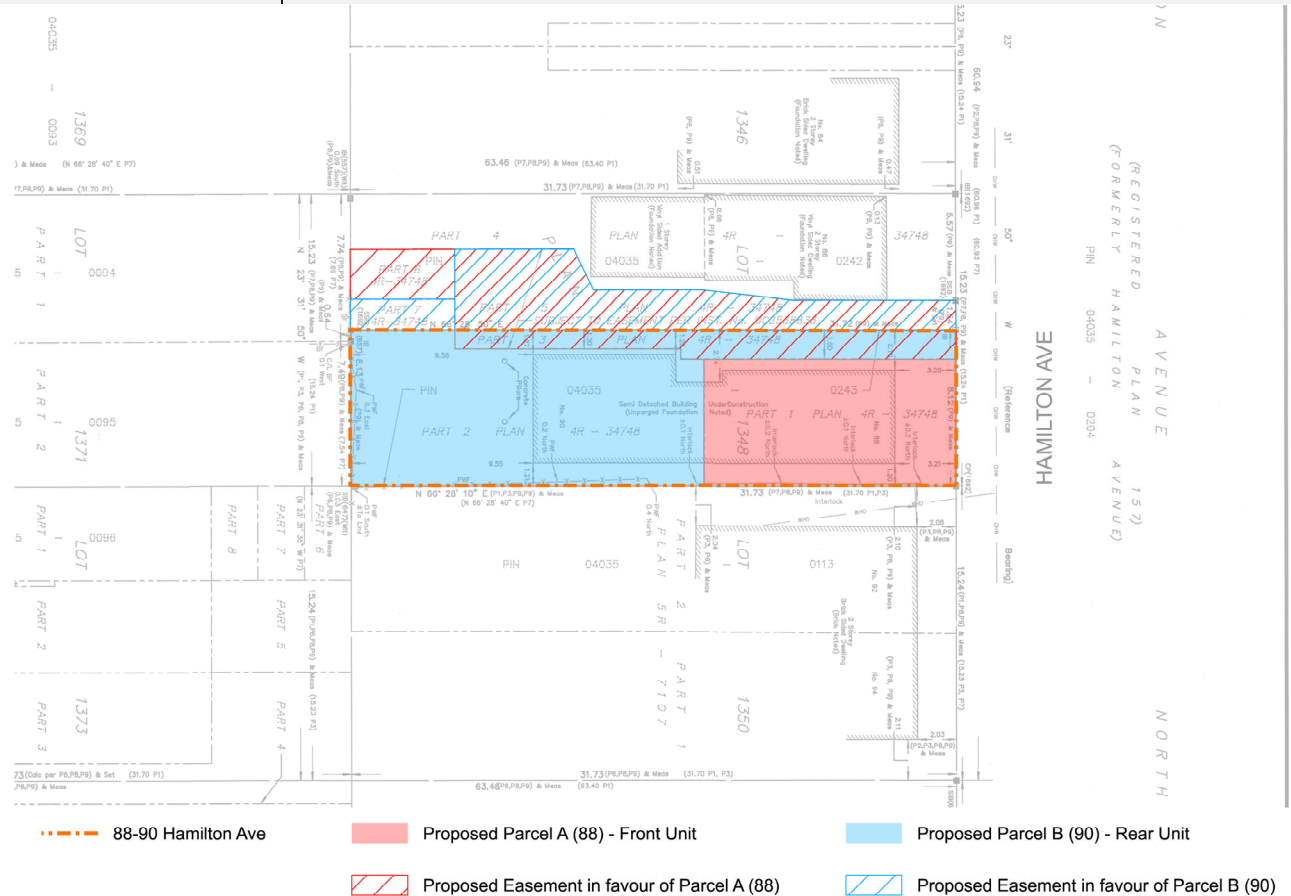


Figure 8 Proposed Severance and Access/Parking Easement (Farley, Smith & Denis Surveying Ltd)

## PROVINCIAL PLANNING STATEMENT 2024

The Provincial Planning Statement 2024 (PPS) provides policy direction on land use planning and development within the Province of Ontario, and decisions affecting all planning matters shall be consistent with the PPS policies. The proposed development is consistent with the applicable policies of the PPS, as demonstrated below.

### Chapter 2.1 Planning for People and Homes:

**Subsection 4** states that “to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a) “maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are designated and available for residential development; and
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.”

**Subsection 6** states that “planning authorities should support the achievement of complete communities by:

- a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;
- b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
- c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.”

### Chapter 2.2 Housing:

**Subsection 1** states “planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:

- a) establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;
- b) permitting and facilitating:
  - 1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and
  - 2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas,

and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;

- c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and
- d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.”

### **Chapter 2.3.1 General Policies for Settlement Areas:**

1. Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.
2. Land use patterns within settlement areas should be based on densities and a mix of land uses which:
  - a. efficiently use land and resources;
  - b. optimize existing and planned infrastructure and public service facilities;
  - c. support active transportation;
  - d. are transit-supportive, as appropriate; and
  - e. are freight-supportive.
3. Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

- The proposed development will introduce a flag lot configuration for an existing long semi-detached dwelling. This approach is consistent with the established built form and lot patterns. The proposed lot configuration is appropriate for the context and is compatible with the surrounding community. The development will not change the existing built form and character of the neighbourhood as it is simply a formalization of new lot lines for an existing configuration.
- The proposed severance demonstrates adherence to the Provincial Policy Statement by embodying principles of sustainable urban development. By severing a lot to accommodate independent ownership of each unit, the project contributes to efficient land use within an urban context, supporting long-term financial sustainability for both the Province and local municipalities.
- The use of existing municipal roads and water, sewer and storm services is an appropriate and efficient use of resources. The proposed new lot already features City water and sewer connection from the street. The development fits and functions well within the City’s Urban Area.

## OFFICIAL PLAN

The subject site is designated as Neighbourhood with an Evolving Neighbourhood Overlay within the Inner Urban Transect Policy Area as outlined in the City of Ottawa's Official Plan (OP), depicted in Figure 9 below. The site is situated south of Wellington Street which is designated Mainstreet Corridor, while Parkdale Avenue to the east and Holland Avenue to the west are designated as Minor Corridor.



Figure 9 Extract of City of Ottawa Official Plan Schedule B2 - Outer Urban Transect Policy Area

**Section 2.2.1 Intensification and Diversifying Housing Options** sets out policy intent for directing residential growth within the urban area. Subsection i) states that “[t]his Plan envisions directing residential intensification towards Hubs, Corridor and surrounding Neighbourhoods where daily and weekly needs can be accessed within a short walk.” Subsection ii) states that “[m]uch of the demand for new housing is expected to be for ground-oriented units, such as single-detached, semi-detached, rowhouse dwellings and new forms not yet developed”.

→ The proposed severance aligns with the City's intensification goals by creating two separate parcels within the urban area, allowing for more efficient land use while maintaining the ground-oriented housing form supported by Policy 2.2.1. Severing the long semi-detached dwelling supports flexibility of ownership of each unit, increasing housing availability. This form of intensification is appropriate given the site's proximity to Wellington Street, Parkdale Avenue, and Holland Avenue all designated Corridors that support transit-oriented development and access to daily needs.

**Section 2.2.4 Healthy and Inclusive Communities** states that “[t]he City’s physical layout and design play an important role in shaping health and well-being by enabling Ottawa’s diverse population to thrive and live their lives to the fullest.” The policy intent to achieve healthy and inclusive communities is to:

1) “Encourage development of healthy, walkable, 15-minute neighbourhoods that feature a range of housing options, supporting services and amenities ... this includes a range of housing types and affordability, shops, services, access to food, schools and local childcare, employment, greenspaces, parks and pathways. They are complete communities that support active transportation and transit, reduce car dependency and enable people to live car-light or car-free.”

→ The proposed severance expands housing options while promoting community vitality and sustainability. It fosters a more compact urban form that reduces urban sprawl, preserves green spaces, and supports a healthier, more interconnected urban environment where residents can easily access daily needs and activities within a short distance from their homes.

**Section 3: Growth Management Framework** sets out the following policy intent for the urban area:

- To prioritize the location of residential growth to areas with existing municipal infrastructure, including piped services, rapid transit, neighbourhood facilities and a diversity of commercial services;
- To establish a growth management framework that maintains a greater amount of population and employment inside the Greenbelt than outside the Greenbelt”.

**Section 3.2: Support Intensification** sets out policies for intensification throughout the urban area, as follows:

2) “Intensification may occur in a variety of built forms and height categories, from Low-rise to Highrise 41+ buildings, provided density requirements are met.”

4) “Intensification is permitted in all designations where development is permitted taking into account whether the site has municipal water and sewer services. This Plan supports intensification and the approval of applications for intensification shall be in conformity with transect and overlay policies as applicable.”

→ The proposed development aligns with the OP’s intensification policies by facilitating ownership options for an existing development which represents a form of existing yet gentle intensification in an area deemed suitable for this type of development, which is already serviced by the municipality.

**Section 4.2 Housing** encourages the provision of greater flexibility and supply of housing options across the city and emphasizes that “[h]ousing that meets needs across ages, incomes and backgrounds and supports accessibility needs is a key requirement for health and well-being...”.

→ The housing policies of the OP encourage a diversity of housing typology that meets the needs of various sectors of the population. The proposed severance will enable a different form of ownership for the existing units on the subject site.

**Section 5.2 Inner Urban Transect** sets out policies for establishing an urban pattern of built form and site design. The proposed development complies with these policies in the following ways:

→ The Inner Urban Transect’s established pattern of built form and site design is both urban and suburban. The goal for new development within the Inner Urban Transect is to enhance urban characteristics. Section 5.2.4(1)(a) “[a]llows and supports a wide variety of housing types with a focus on missing-middle housing, which may include new housing types that are currently not contemplated in this Plan”. The proposed severance is for a long semi-detached dwelling, which is an urban form of development. Overall, the proposed development is supported by the policies of the Official Plan.

## ZONING BY-LAW 2008-250

The site is zoned Residential Fourth Density, Subzone UB, in the City of Ottawa Zoning By-law 2008-250, depicted in Figure 10 below. The Residential Fourth Density zone permits low-rise residential development, including long semi-detached dwellings, up to low-rise apartment buildings.

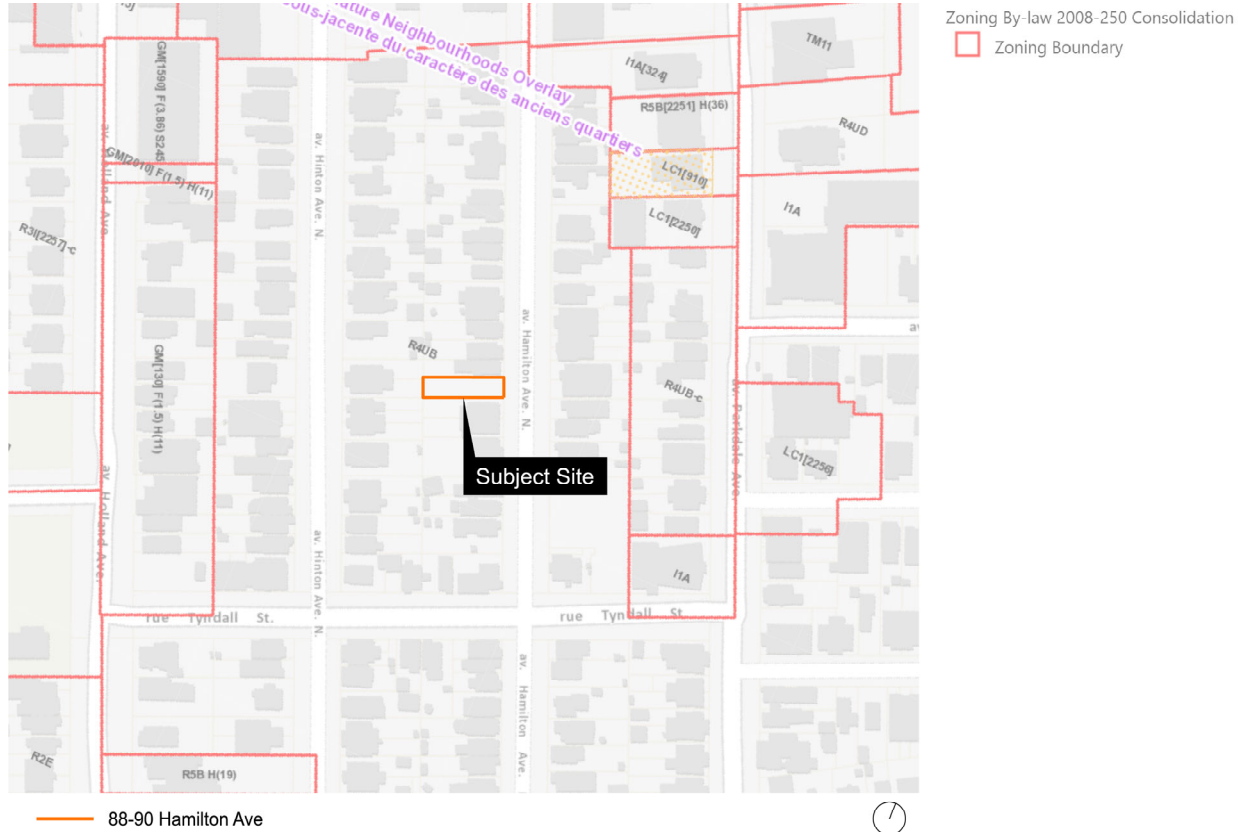


Figure 10 Extract of City of Ottawa Zoning By-law 2008-250 (GeoOttawa)

The proposed zoning details are shown below in Table 2 with the requested variance highlighted in red.

Table 2. Zoning provisions

<b>R4UB</b>				
Provision (Long Semi-Detached Dwelling)	Required		Provided	
	88 Hamilton Ave N (front)	90 Hamilton Ave N (rear)	88 Hamilton Ave N (front)	90 Hamilton Ave N (rear)
Minimum Lot Width (*MV)	8.12 m		8.12 m	
Minimum Lot Area (*MV)	257.7 m <sup>2</sup>		257.7 m <sup>2</sup>	
Maximum Building Height	10.0 m		9.82 m	
Minimum Front Yard Setback (avg abutting)	2.86 m	n/a	3.20 m	n/a
Minimum Rear Yard Setback	n/a	7.50 m	n/a	9.55 m
Minimum Interior Side Yard Setback	1.2 m / 0.6 m	1.2m / 0.6 m	1.2 m / 0.6 m	1.27 m / 1.21 m
Minimum lot width of pole portion of a flag lot when severed (Section 145(4)(b))	n/a	2.2 m	n/a	<b>1.50 m</b>

\*MV denotes required provisions in accordance with minor variances approved by the Ontario Land Tribunal (Case #: OLT-21-001229) on June 3, 2022.

As demonstrated in Table 2, the property is subject to site-specific variances to the zoning by-law which were granted by the Ontario Land Tribunal on June 3, 2022. The development has since been constructed per the approved plans. There is one new minor variance being sought to facilitate the severance of the land in a flag lot configuration, which is (A) to permit a reduced pole width. This minor variance application is for a reduction in the width of the pole portion of the lot from 2.2 m to 1.50 m. Both units are adequately independently serviced and there is appropriate access between the units from the street which is exemplified by the site already functioning in its as built format.

## **RATIONALE FOR CONSENT**

In Section 51(24) of the Planning Act, 1990, a series of criteria are presented that state in the case of any subdivision of land, regard shall be had to:

**(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;**

The proposed consent does not have any effect on matters of provincial interest.

**(b) whether the proposed subdivision is premature or in the public interest;**

The proposed consent is in the public interest as it supports the City's policies for intensification and an efficient use of residentially zoned land. The proposed severances are not premature as the dwelling is already constructed. Further, the site zoning and Official Plan designations permit long semi-detached development and the severance of those lands to create two parcels to be independently conveyed.

**(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;**

The proposed severances for the existing long semi-detached residential development conform to the applicable City of Ottawa Official Plan policies for development, intensification, and compatibility. The Official Plan supports intensification in the urban area, and the proposed severance will contribute to a mix of housing tenure options as each unit will be individually conveyable.

**(d) the suitability of the land for the purposes for which it is to be subdivided;**

The land is suitable for the proposal, with comparably sized lots in close proximity in the surrounding neighbourhood. Despite the requested variance for a reduced lot width of the pole portion of the flag lot, the proposed lot sizes can appropriately accommodate the proposed built form and vehicular access through access easements with the neighbouring property. The site functions well in its as-built format and will continue to do so once severed. The existing development is a desirable, permitted, and suitable use of these residentially zoned and designated lands.

**(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;**

N/A

**(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;**

No new roadways are proposed as part of the consents. The proposed development and severances will have adequate frontage to an open public municipal roadway (Hamilton Avenue North). The site is just to the west of Parkdale Avenue (Arterial Road) which travels north-south, connecting to Kichi Zibi Mikan (Federally Owned Parkway) to the north and Highway 417 to the south.

**(f) the dimensions and shapes of the proposed lots;**

The dimensions and shape of the proposed lots are functional and compatible with the surrounding neighbourhood character and development pattern. Despite the requested minor variance for a reduced width of the pole portion of the flag lot, there is sufficient space on site for separation between neighbouring properties to the north and south, and the existing building in its current format is functional. The proposed severances are typical for a long semi-detached with a flag lot configuration, and the site will remain one lot for zoning purposes.

**(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;**

There is an existing access easement over Part 3 in favour of Part 4, 5, 6, and 7 which is the lot municipally known as 86 Hamilton Avenue North. For the property municipally known as 88 Hamilton Avenue North an easement is proposed over Part 3 in favour of Part 1 for access and maintenance, and over Part 6 in favour of Part 1 for access, maintenance, and parking. For the property municipally known as 90 Hamilton Avenue North an easement is proposed over Part 7 in favour of Parts 2, and 3 for access, maintenance, and parking.

**(h) conservation of natural resources and flood control;**

The severance application does not affect the site conditions. No watercourses, flood plains, trees or other natural resources will be impacted by the consent as this is an already constructed building.

**(i) the adequacy of utilities and municipal services;**

Municipal water, sewer and storm services are independently provided for both lots.

**(j) the adequacy of school sites;**

There are several schools servicing the area including: Connaught Public School to the east and Fisher Park Public School / Summit Alternate School to the southeast. While Devonshire Public School lies further east, and Elmdale Public School is further west.

**(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;**

N/A

**(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and**

The existing site represents a compatible low-rise infill residential development within the urban area that provides family-sized, ground-oriented dwelling units. The proposed severance contributes to the available housing supply in the urban area, allowing a diversification of home ownership

opportunity, and optimizes the use of this residentially zoned land. This is an appropriate and encouraged form of density and uses existing municipal water, sewer, and storm services.

The proposed severances optimize the available supply of land and energy resources and are an efficient use of the land.

**(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25 Sched. 4, s.9(2).**

The proposal for severing the existing long semi-detached dwelling is not subject to the Site Plan Control By-law and therefore an application for Site Plan Control is not required.

Overall, the proposed severance applications demonstrate regard for the criteria of Section 51(24) of the Planning Act.

## **RATIONALE FOR MINOR VARIANCE**

To facilitate the development, one minor variance to the Zoning By-law is required:

- a) To permit a reduced width of 1.50 m for the pole portion of a flag lot when a long semi-detached dwelling is severed in a flag lot configuration, whereas the by-law requires 2.2 m.

The following section reviews the variance against the four tests as presented in Section 45(1) of the Planning Act.

### **IS THE VARIANCE MINOR?**

The proposed reduction in lot width of 1.50 m from the required 2.2 m for the pole portion of a flag lot is minor. This is a reduction of only 0.70 m and has no impact on the built form, as the building was completed in June 2024 and each unit has been operating independently since then. This minor variance will enable the severance of the existing long semi-detached dwelling. The minor width reduction will facilitate the sale of each individual unit on a lot that is zoned Residential Fourth Density, Subzone UB, with a Mature Neighbourhoods Overlay, in which the existing use is permitted under the Zoning By-law. The reduced lot width of 1.50 m for the pole portion of the flag lot is able to accommodate the existing use and servicing, and is an appropriate and desirable form of development, and is minor. An existing easement with neighbouring property allows for a combined access width of 3.04 m at the narrowest point. A proposed easement will be established over the flag pole portion for the benefit of the front unit to ensure there is appropriate access and maintenance opportunity across that property's respective side yards. Further, the existing built form within the community will not change, and the lot fabric will remain functional due to the proposed easements. Given appropriate access, servicing, and maintenance already exists along the pole portion, the reduced width and front yard setback are minor.

### **DOES THE VARIANCE MEET THE INTENT AND PURPOSE OF THE OFFICIAL PLAN?**

The intent and purpose of the Official Plan, specifically within the Neighbourhood designation in the Inner Urban Area Transect is to accommodate residential growth to meet housing and density targets. In

general, the OP supports a variety of housing types, focusing on missing-middle housing and the provision of low-rise built form with more emphasis on built form rather than unit count or lot configuration. The intent of the Evolving Overlay area is to signal a gradual shift of intensification towards a more urban built form, and supports new built forms and typologies, including missing middle housing. The OP also notes that the development standards for built form and building envelope are to be consistent with the planned characteristics of the Evolving Overlay area, which may be different from the existing characteristics. Overall, the proposed minor variance facilitates the severance into separately owned dwelling units in the service of providing housing choice which is encouraged and supported through the policies of the Official Plan and in particular, the Evolving Overlay.

### **DOES THE VARIANCE MEET THE INTENT AND PURPOSE OF THE ZONING BY-LAW?**

The intent and purpose of the minimum lot width for the pole portion of a flag lot is to ensure there is sufficient space for access to the rear unit; sufficient space for services to reach the rear unit; and frontage on a municipal right-of-way. According to Section 145(4)(a), the minimum width of the pole portion of a flag lot is 1.7 m when a flag lot abuts another flag lot at the side lot line, and 2.2 m in all other cases according to Section 145(4)(b). While the later policy is applicable in this case, it should be noted that the proposed lot width of 1.50 m is very close in size to 1.7 m. Additionally, the subject site has the benefit of being adjacent to a property with easement rights to its benefit, which increases the access width by another 1.54 m for a total width of 3.08 m.

### **IS THE VARIANCE DESIRABLE FOR THE APPROPRIATE DEVELOPMENT AND USE OF THE LAND?**

The reduced lot width of 1.50 m for the pole portion of the flag lot is an appropriate and desirable form of development and is minor. Currently, the long semi-detached dwelling is owned by a single owner and each unit has been renter-occupied and operating independently since the building was constructed in June 2024. The variance will allow the owner to sell each unit individually, allowing for an alternative ownership structure. The surrounding neighbourhood contains a mix of housing types, sizes, and forms, primarily in the format of low-rise single-detached, semi-detached, and apartment dwellings. The severance of this lot to facilitate the conveyance of each unit within the long semi-detached dwelling separately supports this policy intent. Save for the sought relief, all other zoning standards are compliant. Further, the existing lot fabric and built form within the community will remain unchanged as the development is existing. In terms of neighbourhood compatibility, long semi-detached dwellings severed in a flag lot configuration are a housing format that is becoming increasingly common in the urban area including this neighbourhood, and are a permitted land use. As such, the proposed variance is desirable for the existing residential development and use of the land.

### **CONCLUSION**

The subject site is an urban lot fronting onto Hamilton Avenue North in the Hintonburg-Mechanicsville neighbourhood and presently contains a long semi-detached dwelling. The Owner is proposing to sever the lot into two parcels in a flag lot configuration to facilitate the independent ownership of each unit. The lot and dwelling are fully zoning compliant save one requested variance to reduce the width of the pole portion of the flag lot. The proposed consent and minor variance to facilitate the division of land retains existing good housing stock, while supporting a diversity of tenure opportunities for each lot. The property is currently developed with a long semi-detached dwelling, and post-severance will be in line with the

development pattern and parcel shapes and sizes that presently exists within the neighbourhood vicinity for this lot configuration. The proposed minor variance and severance will not alter or impact the character of the community. The proposed severance is consistent with the Provincial Planning Statement, 2024, conforms to the policies of the City of Ottawa Official Plan and complies with the City of Ottawa's Zoning By-law 2008-250 save for the one requested minor variance, which meet the four tests under Section 45(1) of the Planning Act. The proposed development represents good land use planning and is recommended for approval.

Respectfully submitted,



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